

MONTANA LEGISLATIVE HISTORY

Chapter 49 1951

Bill H 57 S _____ Original bill & history C

H. Committee on Township & Counties

Hearing Date(s) Jan 23 ✓ C

Jan 25 ✓ C

Jan 29 ✓ C

Feb 01 ✓ C

Date Out _____ C

S. Committee on Counties and Towns

Hearing Date(s) _____ C

_____ C

_____ C

_____ C

No S. Minutes for
this Committee were recorded.

Did this bill originate in an interim committee? Yes No

Committee _____

Report _____

TOWNSHIPS AND COUNTIES
1951

A meeting of the Townships and Counties Committee was called to order by Chairman Phillips on January 23, 1951. Roll call was taken with 13 members being present.

House Bill No. 57 was presented to the Committee. Representative McElwain, Co-author of this bill appeared before the committee and explained the purpose of the bill. The following men also appeared before the committee stating the serious situation of Court Reporters: Judge W. W. Leslie, Deer Lodge; Judge Taylor, Anaconda; Judge Horsky, Helena; Judge Padbury, Helena; Jack Rattery, Reporter, and Joe McCavery. After considerable discussion the chairman appointed a sub committee consisting of Bradley, Chairman, Rostad, and Parker, to further study this bill.

Being no further business the meeting adjourned.


Phillips, Chairman

TOWNSHIPS AND COUNTIES

A meeting of the Townships and Counties Committee was called to order by Chairman Phillips on January 25, 1951. Roll call was taken with 11 members present.

House Bill No. 41 was discussed by the members. Representative Dwyer appeared before the committee and explained the purpose of the amendment to the bill. Anderson moved that this bill be referred to a sub committee. Motion was seconded by Peters. The chairman appointed the sub committee consisting of Skibby, Chairman, Peters and Michals.

House Bill 57 was then discussed. The chairman of the sub-committee, Bradley gave the sub committee report, as follows: that line 13 and 14 of the printed bill after the words "salaries" the words and figures Four thousand eight hundred dollars \$4800.00 be changed to "Four thousand two hundred \$4200" and as so amended recommend that this bill do pass. Motion was seconded by Parker. The bill and the amendment was then discussed by the members of the committee. Rostad suggested that this bill be re-referred to the sub committee again. A motion was made and seconded to this effect. Motion carried. Bradley and Parker withdrew the previous motion and second. The Chairman asked that Rostad be replaced by Peters in the sub committee on this bill.

House Bill 97 was then discussed. Representative Nixon appeared before the committee and explained the purpose of this bill. The bill was read in full and discussed by the members of the committee. A motion was made by Andersen, seconded by MacDonald that this bill do pass. Motion carried.

Being no further business the meeting adjourned.


Phillips, Chairman

TOWNSHIPS AND COUNTIES

A meeting of the Townships and Counties committee was called to order on January 27, 1951 by Chairman Phillips. Roll call was taken with 11 members present.

House Bill 118 was discussed in open committee meeting. Representative Schiltz, author of the bill, appeared before the committee and explained the purpose of the bill. It was suggested that this bill be held until a future meeting for consideration as the Senate has a bill up on the same order as this bill.

House Bill 116 was then discussed. Representative Iten appeared on this bill. A motion was made by Skibby, seconded by Bradley that this bill do pass. Motion carried.

House Bill 124. Representative Iten also appeared on behalf of this bill. Iten read the bill in full and it was discussed by the members of the committee. Bradley moved that this bill do pass. Motion seconded by Cook. Motion carried.

Senate Bill 26 was then discussed. It was suggested that this bill be held for further consideration.

Skibby, Chairman of the sub-committee on House Bill 41, gave the sub-committee report, as follows: That House Bill 41 be amended by striking out in line 18 of the printed bill after the word "service," the balance of said line 18 down to and including the word "Montana" in line 19 of said printed bill, and as amended, move that House Bill 41 do pass. The motion was seconded by Rostad. Motion carried.

Chairman asked if the sub-committee were ready to report on House Bill 57. Reported they were not ready.

Being no further business the meeting adjourned.


Phillips, Chairman

TOWNSHIPS AND COUNTIES

A meeting of the Townships and Counties committee was called to order by Chairman Phillips on February 1. Roll call was taken with 12 members present.

House Bill 159 was first for discussion. Representative Prill appeared before the committee and explained the purpose of the bill. A motion was made by MacDonald, seconded by Cook that this bill do pass. Motion carried.

House Bill 199. Representative Graybill appeared before the committee and explained the purpose and changes of the bill. A motion was made by MacDonald, that this bill be referred to a sub-committee for further study. Motion was seconded by Parker. Motion carried. Chairman appointed a committee of three, consisting to Rostad, Anderson and Watkins.

House Bill 193. Representative Cook explained the purpose of this bill. Several letters were read by Mr. Cook pertaining to this bill. Bradley made a motion that this bill do not pass. Motion seconded by Anderson. Motion carried.

Chairman asked for the sub-committee report on House Bill 57. Chairman Bradley gave the sub-committee report as follows: that House Bill 57 be amended in line 13 and 14 the words and figures "four thousand eight hundred dollars (\$4800.00 be amended to read "four thousand two hundred dollars \$4200.00. and as amended do pass. Bradley moved the adoption of the committee report. Motion seconded by Parker. Motion carried.

Being no further business the meeting adjourned.


Phillips, Chairman

One arm between wrist and elbow	200 weeks
One hand	187 weeks
One thumb and the metacarpal bone thereof	75 weeks
One thumb at the proximal joint	37 weeks
One thumb at the second distal joint	25 weeks
One first finger and the metacarpal bone thereof	37 weeks
One first finger at the proximal joint	25 weeks
One first finger at the second joint	18 weeks
One first finger at the distal joint	12 weeks
One second finger and the metacarpal bone thereof	37 weeks
One second finger at the proximal joint	18 weeks
One second finger at the second joint	12 weeks
One second finger at the distal joint	6 weeks
One third finger and the metacarpal bone thereof	25 weeks
One third finger at the proximal joint	15 weeks
One third finger at the second joint	10 weeks
One third finger at the distal joint	5 weeks
One fourth finger and the metacarpal bone thereof	15 weeks
One fourth finger at the proximal joint	11 weeks
One fourth finger at the second joint	7 weeks
One fourth finger at the distal joint	4 weeks
One leg at or near the hip joint as to preclude the use of an artificial limb	250 weeks
One leg at or above the knee where stump remains sufficient to permit the use of an artificial limb	187 weeks
One leg between knee and ankle	175 weeks
One foot at the ankle	156 weeks
One great toe with the metatarsal bone thereof	37 weeks
One great toe at the proximal joint	18 weeks
One great toe at the second joint	12 weeks
One toe other than the great toe with the metatarsal bone thereof	15 weeks
One toe other than the great toe at the proximal joint	7 weeks
One toe other than the great toe at second or distal joint	4 weeks
One eye by enucleation	150 weeks
Total blindness of one eye	125 weeks

Total loss of hearing, one ear	25 weeks
Total loss of hearing, both ears	150 weeks

The loss of both hands, or both arms, or both feet, or both legs, or both eyes, or any two thereof, in one accident, in the absence of conclusive proof to the contrary shall constitute total disability, permanent in character. Provided, however, that the percentage of permanent disability caused by any single accident or injury shall be so computed as to cover the permanent disability caused by that particular injury without reference to any previous physical ailment or defect or to any injury previously suffered or any permanent disability caused thereby; provided, that no payment under this section shall be in lieu of the separate benefit of medical and hospital services."

Section 6. All acts and parts of acts in conflict herewith are hereby repealed.

Repealing clause.

Approved February 20, 1951.

CHAPTER 49

An Act to Amend Section 93-1906 of the Revised Codes of Montana of 1947, Relating to Salary and Expenses of Stenographer, Apportionment Thereof, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 93-1906 of the Revised Codes of Montana of 1947, be, and the same is hereby amended to read as follows:

Amendment of Sec. 93-1906, Rev. Codes, 1947.

"93-1906. (8933) **Salary and Expenses of Stenographer — Apportionment.** Every stenographer appointed under the provisions of this chapter receives an annual salary of *four thousand two hundred dollars (\$4200.00)*, and no other compensation except as provided in Section 93-1904, payable in monthly installments out of the general funds of the counties comprising the district for which he is appointed, according and in proportion to the number of civil and criminal actions entered and commenced in the district courts of such counties respectively in the preceding year; and it shall be the duty of the judge of such district, on the first day of January of each year,

Salary and expenses of stenographer.

Apportionment
of amount.

or as soon after as may be, to apportion the amount of such salary to be paid by each county in his district on the basis aforesaid. The stenographer is allowed, in addition to the salary and fees above provided, in judicial districts comprising more than one county, his actual and necessary expenses of transportation and living when he goes on official business to a county of his judicial district other than the county in which he resides, from the time he leaves his place of residence until he returns thereto, said expenses to be apportioned and payable in the same way as the salary."

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Approved February 20, 1951.

Repealing
clause.

CHAPTER 50

An Act Requiring Every Person, Firm, Association, Joint-stock Company and Corporation Engaged in or Carrying on the Business of Mining Ore Containing Vermiculite, Perlite, Kerrite, Maconite or Any Other Micaceous Minerals or Hydrous Silicates or Engaged in Working or Operating Any Mine or Mining Property in the State of Montana From Which Such Minerals Are Mined, Produced or Extracted, to Pay to the State Board of Equalization for Engaging in and Carrying On Such Business, Certain License Taxes for the Exclusive Use and Benefit of the State of Montana; Fixing the Amount of Such License Taxes; Prescribing a Method for the Assessment and Collection Thereof; and Prescribing Penalties for Violations of the Provisions of This Act.

Be it enacted by the Legislative Assembly of the State of Montana:

"Person" —
definition of.

Section 1. The term "person" as used in this act, shall mean and include any individual, firm, copartnership, and every corporation, joint-stock company and association.

Section 2. Every person engaged in or carrying on the business of working or operating any mine or mining property in the State of Montana from which vermiculite, perlite, kerrite, maconite or any other micaceous minerals or hydrous silicates are mined, extracted or produced, must,

for the year 1951 and each year thereafter, when engaged in or carrying on such business in this state, pay to the State Board of Equalization, for the exclusive use and benefit of the State of Montana, a license tax for engaging in and carrying on such business, in an amount equal to five (5) cents per ton of two thousand (2,000) pounds for each and every ton of concentrates mined, extracted or produced by such person during such year.

License tax
required of
persons carrying
on business of
mining vermicu-
lite and other
micaceous
minerals or
hydrous
silicates.

Amount
of tax.

Section 3. Such annual license tax as imposed by section 2 of this act shall be paid in quarterly installments for the quarters ending, respectively, March thirty-first, June thirtieth, September thirtieth and December thirty-first of each year, beginning with the quarter ending March 31, 1951, and the amount of such license tax due for each such quarter shall be paid to the State Board of Equalization within thirty (30) days after the end of each of such quarter.

Tax payable
quarterly.

Section 4. Each and every person engaged in or carrying on the business specified in section 2 of this act, must, at the date when this act becomes effective, but not later than thirty (30) days thereafter, and every person who shall, after the date this act becomes effective, engage in such business, must immediately upon engaging therein, file with the State Board of Equalization a certificate and statement on forms prescribed by the State Board of Equalization, which shall contain the name under which such person is engaging in and carrying on such business within this state, giving the name of the place or places of business or location of plants within this state; the name and address of the managing agent in this state if a corporation, joint-stock company or association; or if a firm or copartnership, the names and addresses of the persons composing the same; if an association, joint-stock company or corporation, under the laws of what state organized, its principal officers; and such other information as the State Board of Equalization may deem necessary.

Certificate or
statement
required of
taxpayer.

Contents of

Section 5. Every such person shall keep a record in such form as the State Board of Equalization may require of all such products mined or produced by him in this state. Such records shall at all times during the business hours of the day be subject to inspection by the State Board of Equalization, its members, agents or employees.

Duty to
keep record.